

New Mexico Oil Conservation Division

Comments on the Proposed EPA Cross-Media Electronic Reporting and Recordkeeping Rule

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Introduction

The New Mexico Oil Conservation Division (NMOCD) of the Energy, Minerals and Natural Resources Department is the regulatory authority for most aspects of operations associated with the oil and gas industry in New Mexico. The NMOCD promulgates rules pertaining to the drilling, completion and operation of wells in the state. Further, all wells and oil and gas related production and refining facilities are monitored and inspected by the NMOCD. All production is reported to NMOCD. NMOCD therefore gathers tremendous amounts of industry related data as well as internal, regulatory related data. These data are generally shared with parties with an interest, whether it is the industry itself, the public or indeed, the U.S. Environmental Protection Agency and other governmental agencies. The NMOCD recognized this as a prime responsibility of being in the public trust; the willingness to capture and make available a full spectrum of information detailing the activities and product of the industry and detailing the regulatory oversight activities performed by NMOCD.

Data Management

The last three years have been perhaps the most remarkable in the advancement of technologies available to states (and all information system users) to track and manage all types of electronic information. The availability of these technologies has been embraced by most governmental agencies as well as most industries. With the advent of new technologies such as Geographical Information Systems (GIS) to access databases and enhance efficiency in the field, and web-based data acquisition and sharing, IT managers and users have been clamoring to implement and make use of these exciting new tools.

For approximately five years, NMOCD has been aggressively implementing and designing new systems to take advantage of new technology while preserving the integrity of the data that has been migrated from old, legacy systems. Of particular note, NMOCD adopted the Risk Based Data Management System (RBDMS), developed under the auspices of the Ground Water Protection Council (GWPC), with partial funding from the U.S. Department of Energy as well as the EPA. NMOCD enjoys one of the more elaborate RBDMS installs, due in large part to the tireless work of many dedicated staff members. Additionally, the NMOCD is actively working on projects to deliver increasing amounts of data via the Internet, receive electronic submissions of permits and to convert five million historical documents to electronic format. These three initiatives have collectively been dubbed OCD Online and NMOCD is resolute in seeing these projects through to implementation.

Recognizing Current IT Environments and Agency Staffing

Much debate will continue to take place regarding the proposed Cross-Media Electronic Reporting and Recordkeeping Rule (CROMERRR) and NMOCD personnel have been party to some of the discussion through GWPC and the Interstate Oil and Gas Compact Commission (IOGCC). NMOCD concurs fully with much of the well thought-out comments articulating the potential and considerable impact that CROMERRR would have on a wide array of entities that have reporting requirements to EPA. NMOCD would respectfully add to these comments by emphasizing one particular perspective.

NMOCD has taken extensive measures in the design, construction and implementation of its data management systems and the reporting capabilities contained therein. It is a very dynamic environment, and IT staffs must step carefully through the maze of technologies, platforms, languages and data structures that are available. Our approach for several years has been to meet current needs and anticipate the potential for future needs as well as system compatibility. The point is made primarily because NMOCD has been prudent in adopting this approach. This approach is taken in great extent not because resident IT genius abounds but because decreasing budgets and revenues mandate it. New Mexico's frugal strategy is not entirely by choice; it, in fact, is essential to its ability to stay current in its data management and reporting responsibilities.

With very limited staff and very limited funding resources, NMOCD proudly and confidently moves ahead through steady decision-making and regular collaboration with similar agencies. It is only through a combination of states' efforts and resources that achievements like RBDMS are possible. CROMERRR would shake the RBDMS project to its core, set user states back for years in an attempt to comply and undoubtedly derail current initiatives due to reallocation of already *stretched-too-thin* resources.

Conclusion

NMOCD supports all of the comments that have been circulated thus far. More time for public comment, more time (and funding) for costs/benefits analysis? more time for EPA to propose an electronic reporting requirement that makes sense and one that would not discourage compliance. NMOCD would implore the EPA to reconsider all aspects of CROMERRR as currently proposed. NMOCD would like EPA to investigate and look at the Herculean efforts being made at so many levels, by so many groups and individuals - trying to move the interests of their agencies or companies ahead on the technology highway. In its current form, CROMERRR would be the largest, bumpiest, most costly detour yet contrived. Let us finish steering our IT vehicles back to smooth pavement before the orange barrels are once again visible in the headlights.

Respectfully submitted, Ben Stone, Automation & Records Bureau Chief, NMOCD